



STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
KNOXVILLE ENVIRONMENTAL FIELD OFFICE  
3711 MIDDLEBROOK PIKE  
KNOXVILLE, TENNESSEE 37921-6538  
PHONE (865) 594-6035      STATEWIDE 1-888-891-8332      FAX (865) 594-6105

January 31, 2014

Mr. Gary Asher, President  
Appolo Fuels Inc.  
P.O. Box 1727  
Middlesboro, Kentucky 40965

**Re: Termination of Processing NPDES Permit Applications**

Appolo Fuels Inc.  
Tennessee Hignite Contour Strip Extension      NPDES Permit TN0079928  
Rich Mountain Proper Mine 1      NPDES Permit TN0079910  
Claiborne County

Dear Mr. Asher:

On March 20, 2008, the Division received your NPDES permit applications for the Tennessee Hignite Contour Strip Extension and Rich Mountain Proper Mine 1. Further processing of these permit applications was contingent upon the submittal of SMCRA permit applications to the Federal Office of Surface Mining (OSM). On January 14, 2014, the Division became aware that SMCRA applications for these two proposed facilities were not submitted to OSM thus are not currently under their review.

The Division intends to discard these NPDES permit applications. Please contact us by February 14, 2014, if you prefer to pick up your copy of the applications.

If you have questions concerning this correspondence, please contact me at (865) 594-5536.

Sincerely,

Gary W. Mullins  
NPDES Permitting Supervisor  
Division of Water Resources  
Mining Section

GWM

cc: NPDES Pending File  
Bill Winters, Office of Surface Mining  
Tim Messer, Howard Engineering & Geology, Inc.